

Amendment No. 1 to HB0526

Coleman  
Signature of Sponsor

AMEND Senate Bill No. 1095

House Bill No. 526\*

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-13-111, is amended by deleting subdivision (c)(1), adding the following new subdivisions and redesignating present subdivision (c)(2) accordingly:

(1) A person's first conviction for domestic assault is punishable the same as assault in § 39-13-101.

(2) A person's second or subsequent conviction for domestic assault, violation of an order of protection as provided in § 39-13-113, or any combination thereof, is a Class E felony.

SECTION 2. Tennessee Code Annotated, Section 39-13-113, is amended by deleting subsection (g) and substituting instead the following:

(g)

(1) A person's first violation of this section is a Class A misdemeanor, and any sentence imposed shall be served consecutively to the sentence for any other offense that is based in whole or in part on the same factual allegations, unless the sentencing judge or magistrate specifically orders the sentences for the offenses arising out of the same facts to be served concurrently.

(2) A person's second or subsequent violation of this section, domestic assault as provided in § 39-13-111, or any combination thereof, is a Class E felony.

SECTION 3. This act shall take effect July 1, 2009, the public welfare requiring it.